

GRIEVANCE RESPONSE FORM

TO BE FILLED OUT BY STAFF

Grievance #: OSP-2019-11-002

TO: Douglas, Damien 10131425
 Name of grievant SID #

FROM: Chaplain Stahlnecker Chaplain
 Name of respondent Title

List, in detail, action(s) taken. (What action was taken? Was the action what the inmate requested? If not, why? Who took the action? When was the action taken – date/time?)

On October 18th at some time after 1300 hrs, Mr. Douglas and one other Adult in custody went into their assigned room to do their Jumma Prayer. They were the only people in this room. Mr. Douglas and the other AIC were being very loud and using vulgar language as they went into their room. The volunteer in the room next door went to the room and politely asked Mr. Douglas and the other AIC to please be quiet. It should be mentioned this has happened many times in the past on numerous occasions, and Mr. Douglas was warned about extreme noise. On this occasion, Chaplain Thompson saw what happened, and told Mr. Douglas and the other AIC that they had 15 minutes to complete their prayer time. It should be mentioned that they were actually given more than 15 minutes to read their sermon before I (Chaplain Stahlnecker) let them know their time was up. If Mr. Douglas continues to be loud and disruptive in his chapel service, he will be escorted out of the chapel area.

Do not type past this line

Click here to enter a date.

Date:

Donna Stahl
 Signature of Staff Member

Stuart Young

Signature of Supervisor (Print/Sign)

Receiving Facility (if not processing facility)	Received at Processing Facility	Sent to Inmate SENT DEC 20 2019
Date Stamp	Date Stamp	Date Stamp

OSP/MCCF GRIEVANCE OFFICE

Distribution:
 White (Original grievance response form)

CD117B (10/19)



**STATE OF OREGON
DEPARTMENT OF CORRECTIONS
OREGON STATE PENITENTIARY**

INTEROFFICE MEMO

DATE: 12/31/2019

TO: NOI Community Members

FROM: Chaplain Karuna Thompson & Chaplain Dennis Stahlnecker

SUBJECT: Suspension of NOI Jumuah Prayer for 90 Days

Due to continuous issues regarding disrespectful language and behaviors in this group it will be suspended for 90 days. During this time the chapel will send people on the list for the service the weekly Khutba so that members of the community can perform their prayer independently. When the services resume again on April 3, 2019 the group will be expected to say their mandatory group prayer, read the khutbah without discussion and clear the room following the service. No lingering in the room or outside conversation will be permitted. Attached please find a copy of the Religious Services Department Procedure on Jumuah Prayer.

Exhibit 3

GRIEVANCE RESPONSE FORM

TO BE FILLED OUT BY STAFF

Grievance: #OSP_2020_02_001

TO: Douglas, Dameion 10131429
 Name of grievant SID #

FROM: Karuna Thompson & Dennis Stahlnecker Chaplains
 Name of respondent Title

List, in detail, action(s) taken. (What action was taken? Was the action what the inmate requested? If not, why? Who took the action? When was the action taken – date/time?)

On December 31st, due to noise issues and issues of disrespectful language at a high volume continuing from August of 2019 through December of 2019 the Nation of Islam group was suspended due to safety and security concerns. Because this was a group issue and not the behavior of a single individual the whole group was suspended. During the suspension each individual on the roster is being sent the weekly khutba (prayer) and is being provided opportunity to shower at mid-day before they say their prayers. The only suspension is the corporate prayer that has caused continuous disturbance. It is our intention to provide the least restrictive means of practice for members of this community that adhere to the safe and secure operations of our area. Attached please find a copy of the memo sent to all men on the roster.

Do not type past this line

2/21/20
 Date:

Dennis Stahl
 Signature of Staff Member
 Stuart Young

[Signature]
 Signature of Supervisor (Print/Sign)

Receiving Facility (if not processing facility)	Received at Processing Facility	SENT MAR 06 2020
Date Stamp	Date Stamp	Date Stamp

OSP/MCCF GRIEVANCE OFFICE

Distribution:

White (Original grievance response form)

CD117B (10/19)

Exhibit
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January 27, 2020

Dameion,

First, let me say, I couldn't have been written a letter by a nicer person that I have known as a casual acquaintance. I received your letter yesterday. When I saw the letter was from OSP I didn't recognize the name. A picture speaks a thousand words though and I would recognize you anywhere. I will commit your name to memory, certainly your last name shouldn't be too difficult!

There certainly is a misunderstanding, and I will do what I am able. IF anything, I was concerned that I was the one that was loud. I've always greeted you and those that meet next to our service with the utmost respect and consideration.

AS we share a room separated by a folding wall, I know our exuberance can be heard as well and I don't want to disrespect your time of meeting.

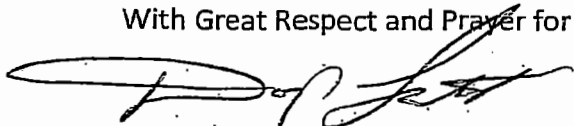
Chaplain Dennis is my direct supervisor over our service time and schedule, and when our Primary volunteer, Tommy Hoover, is not able to make the service, Tommy will ask me to fill-in.

IN reviewing my calendar, I was at OSP on October 18, 2019 and filling in for Tommy Hoover. I haven't ever had to ask you or your group to be quiet, in fact, as stated I make it my duty out of respect to greet and request your consideration if I am getting too loud. I don't recall anything out of the ordinary that day and I certainly didn't have to request you or your group to be quiet.

In consideration, there may have been an oversight or a misunderstanding by the Chaplain(s). If someone saw me entering the room, then it was from my typical routine when at OSP to meet and greet the group next door. I do know Chaplains are very supportive of our volunteers and programs.

Though our interaction is due to our association with the same service time you have always welcomed me and in my intrusion to say hi and greet you and the others.

With Great Respect and Prayer for a speedy resolution to the matter at hand,



Doug Lethin, DOC Volunteer

Exhibit

5

1

IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF OREGONDAMEION DOUGLAS
Plaintiff,

v.

CHAPLIAN KARUNA THOMPSON et. al.
Defendants.

Dist. No. 6:20-cv-00546-AA

VERIFIED AMENDED
COMPLAINT

CLAIM 1

The following civil right has been violated:

My 1st Amendment Right not to be retaliated against for filing lawsuits and grievances were violated by Karuna Thompson when she canceled the October 18th, 2019, Friday Obligatory Congregational Nation of Islam (NOI) Jumma Prayer Service. My Right to be free from Retaliation for Exercising my 1st Amendment Rights was clearly established. I'm suing Thompson in her individual capacity.

1) On October 18th, 2019, at approx. 1:25pm I arrived on the Chapel floor alone and entered the room where the Nation of Islam (NOI) Jumma Prayer Service is held alone and three brothers were already there. As I began to set up the table Chaplin Karuna Thompson opened the back door and informed us that we had 15 minutes to perform the Obligatory Congregational Jumma Prayer and read the weekly Sermon (weekly mandatory reading for Jumma). I responded "they haven't ran the line movement yet and everyone is not here." She responded, "they can read it as they arrive" and closed the door. The brothers that were present was ready to leave citing "she's tripping." To which I said, "we have to pray and read the kutba[Sermon]." However, after we prayed they left because they came to the general consensus that there's no way we could read the 7 page Sermon and pray in 15 min.. I stayed by myself and began reading the Sermon then another brother came in approx. 5 minutes later and we started over from page one and began going over the Sermon and approx. 10 minutes later at approx. 1:55pm Chaplin Dennis Stallhnecker opened up the main hallway door and gave us a direct order to leave the Chapel even though we were not finished and line movement had not been called yet, thus, everyone was not let out of their cells to go to either the yard, showers, or their callouts. As I was leaving I looked in the Chapel library where the Sunni Muslim brothers hold their Congregational Sunni Jumma Prayer Service and seen that they were in the middle of praying. Therefore, I approached Correctional Officer (C/O) Panther at the desk and informed him that the chaplains asked me to leave and asked him if I could wait for the Sunni brothers to finish praying so that I could access the NOI Religious Material Closet in the library. He said, "yea." So I used the bathroom and came out approx. 10-15 minutes later and approached the library and a few brothers were still there and I asked them if they were asked to leave and they responded with "no" so I stayed there in the Closet for approx. 10 minutes and left.

Exhibit
6

6

disrespecting and interfering with my Right to Practice my Religion was clearly established. I'm suing Thompson in her individual capacity.

- 1) I am re-alleging and incorporate paragraphs 1-8 from Claim 1 by reference to this Claim.

CLAIM 4

The following civil right has been violated:

My Federal RLUIPA was violated by Karuna Thompson when she canceled the October 18th, 2019, Friday Obligatory Congregational Nation of Islam (NOI) Jumma Prayer Service. I'm suing Thompson in her individual capacity.

- 1) I am re-alleging and incorporate in paragraphs 2-9 from Claim 1 by reference to this Claim.

CLAIM 5

The following civil right has been violated:

My 14th Amendment Equal Protection Rights was violated by Karuna Thompson when she canceled the October 18th, 2019, Friday Obligatory Congregational Nation of Islam (NOI) Jumma Prayer Service. My Right to receive Equal Treatment while attending the NOI Service like those who are practicing other Faiths was clearly established. I'm suing Thompson in her individual capacity.

- 1) I am re-alleging and incorporate paragraphs 1-8 from Claim 1 by reference to this Claim.

CLAIM 6

The following civil right has been violated:

My 1st Amendment Right not to be retaliated against for filing lawsuits and grievances was violated by Dennis Stalhnecker when he canceled the October 18th, 2019, Friday Obligatory Congregational Nation of Islam (NOI) Jumma Prayer Service. My Right to be free from Retaliation for Exercising my 1st Amendment Rights was clearly established. I'm suing Stalhnecker in his individual capacity.

- 1) I am re-alleging and incorporate paragraphs 1-8 from Claim 1 by reference to this Claim.

CLAIM 7

The following civil right has been violated:

My 1st Amendment Freedom to Practice my Religion was violated by Dennis Stalhnecker when he canceled the October 18th, 2019, Friday Obligatory Congregational Nation of Islam (NOI) Jumma Prayer Service. My Right to attend the NOI Prayer Service without any Chaplin disrespecting and interfering with my Right to Practice my Religion was clearly established. I'm suing Stalhnecker in his individual capacity.

- 1) I am re-alleging and incorporate paragraphs 1-8 from Claim 1 to this Claim.

Exhibit
7

**U.S. District Court
District of Oregon (Eugene (6))
CIVIL DOCKET FOR CASE #: 6:18-cv-00533-AA**

Douglas v. Pearlstein et al
Assigned to: Judge Ann L. Aiken
Demand \$4,000,000
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 03/28/2018
Jury Demand: Both
Nature of Suit 550 Prisoner Civil
Rights
Jurisdiction: Federal Question

Plaintiff

Dameion Douglas

represented by **Dameion Douglas**
10131429
Oregon State Penitentiary
2605 State Street
Salem, OR 97310-0505
Email:
PRO SE

V.

Defendant

A. Pearlstein

represented by **Shannon M. Vincent**
Oregon Department of Justice
Trial Division, CLS
1162 Court Street NE
Salem, OR 97301
503 947 4700
Fax: 503-947-4791
Email:
shannon.m.vincent@doj.state.or.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dylan J. Hallman
Oregon Department of Justice
1162 Court Street NE
97301-4096
Salem, OR 97301-4096
503 947 4700

Email dylan.hallman@doj.state.or.us

TERMINATED: 03/08/2023

Defendant

Kuruna Thompson

represented by **Shannon M. Vincent**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dylan J. Hallman
(See above for address)
TERMINATED: 03/08/2023

Defendant

Melissa Davidson

represented by **Shannon M. Vincent**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dylan J. Hallman
(See above for address)
TERMINATED: 03/08/2023

Defendant

Stuart Young

represented by **Shannon M. Vincent**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dylan J. Hallman
(See above for address)
TERMINATED: 03/08/2023

Defendant

Dennis Holmes

represented by **Shannon M. Vincent**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dylan J. Hallman
(See above for address)
TERMINATED: 03/08/2023

Defendant

K. Salingrepresented by **Shannon M. Vincent**

(See above for address)

LEAD ATTORNEY**ATTORNEY TO BE NOTICED****Dylan J. Hallman**

(See above for address)

TERMINATED: 03/08/2023**Defendant****John Doe**

Email All Attorneys

Date Filed	#	Docket Text
03/28/2018	<u>1</u>	Application for Leave to Proceed IFP. Filed by Dameion Douglas. (dsg) (Entered: 03/28/2018)
03/28/2018	<u>2</u>	Complaint. Jury Trial Requested: Yes. <i>In forma pauperis pending</i> Filed by Dameion Douglas against Melissa Davidson, John Doe, Dennis Holmes, A. Pearlstein, K. Saling, Kuruna Thompson, Stuart Young (Attachments # <u>1</u> Exhibits, # <u>2</u> Civil Cover Sheet, # <u>3</u> Proposed Summons). (dsg) (Entered: 03/28/2018)
03/28/2018	<u>3</u>	Notice of Case Assignment: This case is assigned to Judge Ann L. Aiken (Mailed copy to plaintiff) (dsg) (Entered: 03/28/2018)
04/17/2018	<u>4</u>	ORDER: Granting Motion for Leave to Proceed in Forma Pauperis <u>1</u> . IT IS ORDERED that the Oregon Department of Corrections shall collect from plaintiff's prison trust account the \$350.00 filing fee and forward payments to the Clerk of the Court. Signed on 04/17/2018 by Judge Ann L. Aiken. (jw) (copy of order mailed to plaintiff) (Entered: 04/18/2018)
04/17/2018	<u>5</u>	Notice of Lawsuit and Request for Waiver of Service of Summons. Waiver of Service is due by 5/17/2018. (jw) (copy of notice mailed to plaintiff. Notice and complaint sent via e-mail to ODOJ and Andrew Hallman) (Entered: 04/18/2018)
04/18/2018	<u>6</u>	Clerk's Notice of Mailing to Oregon Department of Corrections regarding Order on motion/application for leave to proceed ifp, <u>4</u> . (jw) (Entered: 04/18/2018)
05/16/2018	<u>7</u>	Waiver of Service of Summons Returned Executed Filed by Dennis Holmes, Kuruna Thompson, K. Saling, A. Pearlstein, Melissa Davidson, Stuart Young (Vincent, Shannon) (Entered: 05/16/2018)

Ex. 8

I am refiling this on Nov. 3rd, 2016 Because I'm not grieving any rule I'm grieving the fact that Chaplin Thompson is refusing to allow me to watch Farm/Chan. Speeches.

Grievance # OSP 2016-10-042

Staff Use Only

GRIEVANCE FORM

Inmate: Dallas Demeiza D OSP#10131929 E384A To watch Farm/Chan. Speeches.
Last First Initial SID# Cell/Block/Bunk #

Reason for grievance: (check all that apply)

- ☐ Misapplication of any administrative directive or operational procedure
- ☐ The lack of an administrative directive or operational procedure
- ☐ Any unprofessional behavior or action which may be directed toward an inmate by an employee, contractor, or volunteer of the Oregon Department of Corrections or the Oregon Corrections Enterprises
- ☐ Any oversight or error affecting an inmate
- ☐ A program failure as defined in the DOC rule on Performance Recognition and Award System (Inmate), OAR 291-077-0020, unless the program failure is a direct result of a misconduct report where the inmate was found in violation
- ☐ The loss or destruction of property as designated in the DOC rule on Personal Property (Inmate), OAR 291-117-0130(3)
- ☐ Sexual contact, solicitation or coercion between an employee, volunteer or contractor and an inmate

Please provide the date/time of incident giving rise to grievance: On September 30th, 2016 at approx 1:00pm

List in detail all the reasons for your grievance. Use multiple grievance forms if necessary. (What is the problem? When did it happen - date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

During the N.O.I. Inmate Service on Sept. 30th, 2016, Chaplin Thompson violated ~~my~~ the Religious Land Use Institutionalized Persons Act (RLUIPA), and the Free Exercise Clause of the 1st Amendment when she refused to allow me to watch & listen to a sermon by the Honorable Louis Farrakhan who is sitting in the leadership seat of the Honorable Elijah Muhammad. ~~Every since~~ ~~Since~~ D.O.C. instituted OAR 291-143-0070(4) which states in part that inmates "shall not be permitted to direct, lead, or conduct other inmates in religious activities" inmates attending the N.O.I. Inmate Service has been allowed to watch & listen to sermons by Farrakhan precisely because no inmate could lead the service. Watching & ~~and~~ listening to Farrakhan's sermons

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

Too Back To allow me to listen to Farrakhan's sermons whenever ~~was~~ a N.O.I. volunteer cannot make it. IF I'm retaliated against by being transferred or any other form I will sue!!!

10/10/16
Date

D D
Inmate Signature

Distribution:

White (Original)
Yellow (Grievance file copy)
Pink (Inmate receipt after processed)
Goldenrod (Inmate copy)

RECEIVED

DENIED

OCT 21 2016

For grievance information see back page
GRIEVANCE COORDINATOR

Receiving Facility
(if not processing facility)

Received at Processing Facility

RECEIVED

OCT 13 2016

GRIEVANCE COORDINATOR
Date Stamp

Date Stamp

Ex. 9

Q

GRIEVANCE RESPONSE FORM

TO BE FILLED OUT BY STAFF

Grievance # OSP2016_10_018

TO: Douglas, Damien 10131429

Inmate Name

SID #

FROM: Chaplain Karuna Thompson

Staff Member

1. List, in detail, action(s) taken. (What action was taken? Was the action what the inmate requested? If not, why? Who took the action? When was the action taken - date/time?)

At this time I am unaware of any Religious Accommodation form being submitted by Mr. Douglas to begin the process of review

and consideration of his religious diet interest. Please request a Religious Accommodation meeting with your chaplain.

Do Not Type Past This Line

Date

11/29/16

Signature of Staff Member

Shant Young

Signature of Supervisor (Print/Sign)

Sent from processing facility

NOTED

DEC 01 2016

GRIEVANCE COORDINATOR
Date StampSent to inmate from current
facility (if not processing
facility)

Date Stamp

Distribution:
White (Original grievance response form)
Yellow (Grievance file copy)
Pink (Inmate receipt after processed)

Exhibit 10

Grievance # OSP-2017-09-106

Staff Use Only

GRIEVANCE FORM

Inmate:

Douglas Darneson

Last

First

D

Initial

OSP#10131429

SID#

E 384A

Cell/Block/Bunk #

Reason for grievance: (check all that apply)

- ☐ Misapplication of any administrative directive or operational procedure
- ☐ The lack of an administrative directive or operational procedure
- ☐ Any unprofessional behavior or action which may be directed toward an inmate by an employee, contractor, or volunteer of the Oregon Department of Corrections or the Oregon Corrections Enterprises
- ☐ Any oversight or error affecting an inmate
- ☐ A program failure as defined in the DOC rule on Performance Recognition and Award System (Inmate), OAR 291-077-0020, unless the program failure is a direct result of a misconduct report where the inmate was found in violation
- ☐ The loss or destruction of property as designated in the DOC rule on Personal Property (Inmate), OAR 291-117-0130(3)
- ☐ Sexual contact, solicitation or coercion between an employee, volunteer or contractor and an inmate

Please provide the date/time of incident giving rise to grievance: Sept. 1st 2017

List in detail all the reasons for your grievance. Use multiple grievance forms if necessary. (What is the problem? When did it happen - date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

On Sept. 1st, 2017, Chaplin Thompson violated my 1st Amendment right to practice my religion when she made me miss the Eid Al-Adha prayer by not putting my name on the call-out at 7:45am on Sept. 1st, 2017 (Exhibit 1). The Eid prayer must be made in a group and on the same day as, generally the same time as the rest of the Muslim World. Brother Deniz told me that I will be on the Eid prayer morning Sept. 1st, 2017, list when he told me that he sent Chaplin Thompson a note informing her to put all Muslims on the Eid Prayer list. This is the first year there's been a problem because in the past years every Muslim was on the Eid Prayer call-out. (Exhibit 2). There's absolutely no excuse for Thompson not allowing me the right

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

Any retaliation will be litigated.

9.28.17

Date

Inmate Signature

Distribution:

White (Original grievance form)

Yellow (Grievance file copy)

Pink (Inmate receipt after processed)

Goldenrod (Inmate copy)

For grievance information see back page

Receiving Facility
(if not processing facility)

Date Stamp

Received at Processing Facility

RECEIVED

SEP 29 2017

GRIEVANCE COORDINATOR

Date Stamp

Staff Use Only

GRIEVANCE FORM

Inmate: Douglas Dameion D 05P#0131429 E-384A 6
 Last First Initial SID# Cell/Block/Bunk #

Reason for grievance: (check all that apply)

- ☐ Misapplication of any administrative directive or operational procedure
☐ The lack of an administrative directive or operational procedure
☐ Any unprofessional behavior or action which may be directed toward an inmate by an employee, contractor, or volunteer of the Oregon Department of Corrections or the Oregon Corrections Enterprises
☐ Any oversight or error affecting an inmate
☐ A program failure as defined in the DOC rule on Performance Recognition and Award System (Inmate), OAR 291-077-0020, unless the program failure is a direct result of a misconduct report where the inmate was found in violation
☐ The loss or destruction of property as designated in the DOC rule on Personal Property (Inmate), OAR 291-117-0130(3)
☐ Sexual contact, solicitation or coercion between an employee, volunteer or contractor and an inmate

Please provide the date/time of incident giving rise to grievance: Fri. March 30th, 2018 1:30pm

List in detail all the reasons for your grievance. Use multiple grievance forms if necessary. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

On Fri. March 30th, 2018 at approx 1:30pm Chaplain Dennis Stalhammer violated my 1st Amendment Freedom of Religion; 1st Amendment Establishment Clause; Equal Protection Clause of the 14th Amendment; and the Federal RLUIPA; and the 1st Amendment right not to be retaliated against for filing previous grievances against him and Chapel staff when he withheld the weekly sermon by the Honorable Louis Farrakhan, who is the current head of the Nation of Islam, during Friday's N.O.I. Inmate Prayer Service when I questioned him about the formation his reason was that the last few weeks he did not either like or agree with some things that were said and in consultation with Asst. Superintendent David Wilson he will not give them to me in violation of the above Constitutional Rights. The 9th Circuit

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

4.5.18
 Date

D. D.
 Inmate Signature

Distribution:

- White (Original grievance form)
 Yellow (Grievance file copy)
 Pink (Inmate receipt after processed)
 Goldenrod (Inmate copy)

For grievance information see back page

Receiving Facility
 (if not processing facility)

Date Stamp

Received at Processing Facility

RECEIVED

APR 09 2018

GRIEVANCE COORDINATOR

Date Stamp